

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DERRICK HOWARD,

Plaintiff,

v.

FIDELITY NATIONAL TITLE
INSURANCE COMPANY,

Defendant.

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No. 4:10CV2368 HEA

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion for leave to proceed in forma pauperis on appeal. Because plaintiff is a prisoner, the Court assess twenty percent of either his average monthly deposit or average balance, whichever is greater. See 28 U.S.C. § 1915(b). After reviewing plaintiff's financial information, the Court has determined that plaintiff must be assessed a partial initial filing fee of \$6.80, which is twenty percent of his average monthly deposit.

Accordingly,

IT IS HEREBY ORDERED that plaintiff must pay an initial filing fee of \$6.80 within thirty (30) days of the date of this Order. Plaintiff is instructed to make his remittance payable to "Clerk, United States District Court," and to include upon it: (1) his name; (2) his prison registration number; (3) the case number; and (4) that the remittance is for an appellate proceeding.

Dated this 20th day of April, 2015



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE